



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

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Tuesday, August 16, 2011

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

1. CALL TO ORDER

Mayor Pro Tem Phillips called the meeting to order at 5:30 p.m.

CONVENE INTO EXECUTIVE SESSION (5:30 P.M.)

2. EXECUTIVE SESSION

- 2A. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) and §551.072 (Real Property) to seek legal advice and to deliberate on right-of-way acquisition of land located at or around Merritt Road. (15 minutes)

RECONVENE INTO OPEN SESSION

Convened into the Work Session at 5:50 p.m.

3. WORK SESSION ITEMS (5:45 P.M.)

3A. Discuss the skills and criteria for the appointment of board members for the Rowlett Municipal Management Districts. (20 minutes)

Staff spoke concerning the City's three Municipal Management Districts (MMDs). Spoke concerning establishing minimum qualifications for board members.

Stated legislation is somewhat vague as it only requires that directors not be members of the City Council and that at least three members be residents of the City. It is important to ensure that the directors have the fundamental skills and vision to develop and manage the affairs of the districts in the community's best interest. Some examples include:

- the City's financial advisor recommends requiring all five voting directors should be residents;
- the City's financial advisor recommends against appointing property owners or developers because there would be numerous situations in which conflicts of interest would prevent them from participating and voting;
- the City's financial advisor recommends requiring knowledge, skills and/or experience in financial, real estate, economic development or other financial acumen.

Stated a resolution would be brought forth for approval on September 6th to establish the criteria for the three MMDs. Stated the directors will be public officials, will have governmental immunity; will be subject to the conflict of interest statutes; will take an oath of office; must be bonded; and will not be entitled for compensation but may be reimbursed for necessary expenses.

City Attorney stated there is a dual office regulation.

A member of Council stated that the members should have a vision; and another member stated the members will have the authority to issue debt on the property.

Staff stated debt cannot be issued unless the Council approves the issuance; stated the Council also approves the project plans for the MMDs.

3B. Discuss proposed changes to the landscaping portion of the Rowlett Development Code. (5 minutes)

Staff briefly went over the proposed changes for the landscaping portion of the Rowlett Development Code.

A member of Council voiced concern about masonry walls and public visibility.

Changes were discussed regarding landscaping in public rights-of-way and the approval process for an Alternative Landscape Plan.

- 3C.** Hear Third Quarter Investment Report for June 30, 2011. (10 minutes)
Staff gave a brief summary of the Third Quarter Investment Report for June 30, 2011.

A member of Council asked that staff explain the City's Pooled Funds.

4. DISCUSS CONSENT AGENDA ITEMS

Items 7C and 7L were removed from the Consent Agenda to be considered individually. Items 7N through 7AA were removed to be discussed as a group and then voted on as consent items.

Mayor Gottel arrived at the meeting following Item 4.

RECEPTION FOR THE ELECTED COUNCILMEMBER (7:00 - 7:30)

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

Convened into the Council Chambers at 7:30 p.m.

INVOCATION

The invocation was led by Councilmember Gallops.

POSTING OF COLORS

The Posting of the Colors was presented by the Rowlett Fire Rescue Honor Guard and the Police Department Honor Guard.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Phillips, the Rowlett Fire Rescue Honor Guard and the Police Department Honor Guard.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Deputy Mayor Pro Tem Kilgore.

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Ceremonial administration of Oath of Office and personal remarks from newly elected Councilmember, Place 4 Ron Miller.

Councilmember Miller was administered his Oath of Office by Associate Judge Pam Liston. Councilmember Miller thanked the citizens for their support and stated he would do his best for the community.

- 5B.** Proclamation recognizing Andres Ruzo, CEO LinkAmerica Inc. as a Tech Titan Finalist.

Councilmember Pankratz presented the proclamation to Mr. Ruzo honoring him as a Tech Titan Finalist.

- 5C.** Hear presentation of the Monthly Financial report for the period ending June 30, 2011.

Staff gave a brief presentation of the Monthly Financial Report for the period ending June 30, 2011.

- 5D.** Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

Members of Council and Management gave a brief update to the Council on the various activities in the City including the Animal Shelter Adopt-a-Thon, along with a Microchip Clinic and a Low Cost Vaccination Clinic were held at the Animal Shelter on August 13th and another Low Cost Vaccination Clinic is to be held August 27th beginning at 12:30 p.m.; a Back-to School Ice Cream Event sponsored by the Rowlett Library was held on the front lawn of the Library on Tuesday, August 16th; the City of Garland Transfer Station is now open after being closed for several weeks for repairs; Applications for Boards and Commissions are being accepted until August 24th; a Town Hall Meeting will be held on Thursday, August 25th at the Rowlett Community Centre beginning at 7:00 p.m.; Kathy Freiheit, the new Library Director was introduced; congratulations were offered for the Rowlett Fire Corps completing their 100th response; and two Councilmembers accompanied Keep Rowlett Beautiful on a tour of Rowlett rating litter in the City and found that the City as a whole is very clean.

6. CITIZENS' INPUT

No one spoke during Citizens' Input.

7. CONSENT AGENDA

Items 7C and 7L were removed from the Consent Agenda to be considered individually. Items 7N through 7AA were removed to be discussed as a group and then voted on as consent items.

City Secretary read the items into the record.

- 7A.** Consider approving minutes from the July 13, 2011 City Council Special Work Session Meeting and August 2, 2011 City Council Regular Meeting.

This item was approved on the Consent Agenda.

- 7B.** Consider action to approve a resolution for contract renewals of employee benefits for Fiscal Year 2010-2011 to Aetna in the estimated amount of \$134,515 for Third Party Administration Medical Services, to Aetna for Individual and Aggregate Stop Loss Insurance in the amount of \$335,026, to Aetna in the estimated amount of \$11,592 for Section 125/Cafeteria Plan Administration, to Delta Dental for dental insurance in the estimated amount of \$199,296, to CIGNA for life accidental death insurance, optional life and accidental death insurance, long-term disability and optional short-term disability in the estimated amount of \$96,319, to Alliance Workplace Partners in the estimated amount of \$6,589 for an Employee Assistance Program, Optional Vision Insurance to Block Vision in the amount of \$18,735 and authorization for the City Manager to execute all necessary documents.

This item was approved as RES-094-11 on the Consent Agenda.

- 7C.** Consider action to approve a resolution to authorize a one-time lump sum payment for City Employees.

This item was removed from the Consent Agenda to be considered individually.

Mayor Gottel read the item into the record.

Staff explained that currently one position out of every twelve positions is vacant. Staff continues to provide a high level of customer service although the workloads have increased with the staff decrease. The checks are a one-time lump sum payment and do not impact future budgets. Percentages based upon three months to twelve months of service determine the amount of each check. The payment is coming from the vacancy savings generated over and above what has been budgeted. Checks are to be issued on August 26, 2011. Council added that this is a small token of appreciation and publically thanked all the employees for their hard work.

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Davis, to approve the item as read. This item was approved as RES-095-11. The motion carried by the following vote:

Ayes: 7 - Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

- 7D.** Consider action to approve a resolution to enter into an Interlocal Agreement with the City of Bedford for cooperative purchasing of goods, materials and services.

This item was approved as RES-096-11 on the Consent Agenda.

- 7E.** Consider action to approve a resolution to award the bid for three year lease purchase financing of one hundred (100) desktop computers with Branch Banking and Trust (BB&T) Governmental Finance in the amount of eighty-one thousand one hundred four dollars and sixty-four cents (\$81,104.64) utilizing an interest rate of 1.65%.

This item was approved as RES-097-11 on the Consent Agenda.

- 7F.** Consider action to approve a resolution to enter into a thirty-eight month agreement with Dell Marketing, LP to purchase Microsoft software in the amount of two hundred eleven thousand four hundred sixty-eight dollars and ninety-eight cents (\$211,468.98) through the inter-local purchasing agreement with Texas Comptroller of Public Accounts and the State of Texas Department of Information Resources (DIR), and authorizing the City Manager to execute the necessary documents after City Attorney approval.

This item was approved as RES-098-11 on the Consent Agenda.

- 7G.** Consider action to approve a resolution to award a bid for the purchase of two patrol vehicles to Dallas Dodge Chrysler Jeep in the amount of fifty-four thousand six hundred ninety-eight dollars (\$54,698) for the Police Department through the Interlocal Cooperative Purchasing Agreement with the Houston-Galveston Area Council (H-GAC).

This item was approved as RES-099-11 on the Consent Agenda.

- 7H.** Consider action to approve a resolution for the purchase of 1,476 Sensus 5/8" x 3/4" TPL water meters to Aqua Metric Sales Company in the amount of ninety-five thousand nine hundred forty dollars (95,940) for meter services for the City of Rowlett.

This item was approved as RES-100-11 on the Consent Agenda.

- 7I. Consider action to approve a resolution for the purchase of bleacher repair parts for the Parks Department to BSN Sports in the amount of fifty-nine thousand one hundred twelve dollars (\$59,112) through the Texas Local Government Purchasing Cooperative (Buy Board).

This item was approved as RES-101-11 on the Consent Agenda.

- 7J. Consider action to approve an ordinance for a negotiated resolution between Atmos Cities Steering Committee and Atmos Energy Corp. regarding the Fourth Annual Rate Review Mechanism filing.

This item was approved as ORD-017-11 on the Consent Agenda.

- 7K. Consider action to approve a resolution to allow alternative building materials for a proposed restaurant use in an existing lease space located at 5000 Rowlett Road.

This item was approved as RES-102-11 on the Consent Agenda.

- 7L. Consider action to approve an ordinance to make text amendments to the following section of the Rowlett Code of Ordinances: Section 77-504 (Landscaping and Screening) of the Rowlett Development Code.

This item was removed from the Consent Agenda to be considered individually.

Mayor Gottel read the item into the record.

Deputy Mayor Pro Tem Kilgore discussed two additional changes to this ordinance. The first proposed change currently reads:

- (f) *Public Visibility.* Landscaping shall be required to be planted along the face of masonry walls that are visible from public parking or public rights-of-way. The landscape area shall be equal in length to twenty-five percent minimum of the adjacent exterior wall with a minimum landscape area at least three feet by five feet in plan dimension. Said landscaping shall consist of native shrubs or plant material evenly distributed along the wall frontage. Where a masonry wall is adjacent to a public right-of-way, the landscaping requirements for the ROW Buffer shall be in addition to the requirements of this Section.

And the change will be as follows:

- (f) *Public Visibility.* Landscaping shall be required to be planted along the face of masonry walls that are visible from public parking or public rights-of-way. The landscape area shall be equal in length to twenty-five percent minimum of the adjacent exterior wall with a

minimum landscape area at least three feet by five feet in plan dimension. Said landscaping shall consist of native shrubs or plant material evenly distributed along the wall frontage. Where a masonry wall is adjacent to a public right-of-way, the landscaping requirements for the ROW Buffer shall satisfy the requirements of this Section.

The second change currently proposed reads:

(b) *Approval Process.* The Planning and Zoning Commission may approve an ALP, provided the subject property is less than one gross acre and the total right-of-way frontage is less than 250 feet. If the subject property is greater than one gross acre or the total right-of-way frontage is greater than 250 feet, then an ALP may be allowed by recommendation of the Planning and Zoning Commission and approval of the City Council.

And the change will be as follows:

(b) *Approval Process.* The Planning and Zoning Commission may approve an ALP, provided the subject property is less than one gross acre and the total right-of-way frontage is less than 250 feet. If the subject property is at least one gross acre or the total right-of-way frontage is greater than 250 feet, then an ALP may be allowed by recommendation of the Planning and Zoning Commission and approval of the City Council.

A motion was made by Deputy Mayor Pro Tem Kilgore, seconded by Mayor Pro Tem Phillips, to approve the item with the following changes, Section 77-504.F.4 "Where a masonry wall is adjacent to a public right-of-way, the landscaping requirements for the ROW Buffer shall satisfy the requirements of this Section." The second change is to Section 77-504.I.4(b) "If the subject property is at least one gross acre or the total right-of-way frontage is greater than 250 feet, then an ALP may be allowed by recommendation of the Planning and Zoning Commission and approval of the City Council". This item was adopted as ORD-018-11. The motion carried by the following vote:

Ayes: 7 - Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

7M. Consider action to approve a resolution for modifications to the Emergency Siren System to Gifford Electric in the amount of fifty-four thousand three hundred ninety-six dollars (\$54,396).

This item was approved as RES-103-11 on the Consent Agenda.

Following the reading of item 7M the Consent Agenda was approved, as were items 7C and 7L.

Passed The Consent Agenda

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Davis, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Ayes: 7 - Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

Items 7N through 7AA were read into the record by the City Secretary.

- 7N.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 0.182 acres, Temporary Construction Easement 0.10 acres (Parcel 13) and 0.142 acres, Temporary Construction Easement 0.03 acres (Parcel 16) owned by Thomas Merritt and Anna T. Merritt for the public purpose of acquiring Right-of-Way for construction, maintenance, and operation of a public street within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 13 & 16).

This item was approved as RES-104-11 on the Consent Agenda.

- 7O.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 0.230 acres for the public purpose of acquiring Right-of-Way for construction, maintenance, and operation of a public street, Temporary Construction Easement of 0.1 acre (4,356 sq. ft.), and Prescriptive Right of Way of 0.03 acres owned by Thomas Harbin Merritt within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 15).

This item was approved as RES-105-11 on the Consent Agenda.

- 7P.** Consider action to approve a resolution to determine the necessity to acquire approximately 0.107 acres of Temporary Construction Easement of land owned by John Oden and Elma Oden for the public purpose of construction of a public street within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said easement (Parcel 17).

This item was approved as RES-106-11 on the Consent Agenda.

- 7Q.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 0.135 acres for the public purpose of acquiring right-of-way for construction, maintenance, and operation of a public street, and 0.05 acres of Temporary Construction Easement owned by Elaine Merritt within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 18).

This item was approved as RES-107-11 on the Consent Agenda.

- 7R.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 0.275 acres for the public purpose of acquiring Right-of-Way for construction, maintenance, and operation of a public street, and 0.05 acres of Temporary Construction Easement owned by Michael Travis Merritt within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 20).

This item was approved as RES-108-11 on the Consent Agenda.

- 7S.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 0.745 acres for the public purpose of acquiring Right-of-Way for construction, maintenance, and operation of a public street, and 0.12 acres of Temporary Construction Easement owned by Thomas Merritt and Anna T. Merritt within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 22).

This item was approved as RES-109-11 on the Consent Agenda.

- 7T.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 0.158 acres of Prescriptive Right of Way and for the public purpose of acquiring Right-of-Way for construction, maintenance, and operation of a public street, and 0.03 acres of Temporary Construction Easement owned by Johnny and Asusena Rios within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 29).

This item was approved as RES-110-11 on the Consent Agenda.

- 7U.** Consider action to approve a resolution determining the necessity to acquire a tract of land of approximately 0.150 acres for the public purpose of acquiring Right-of-Way that includes Prescriptive Right-of- Way for construction, maintenance, and operation of a public street, 0.04 acres of Temporary Construction Easement owned by Johnny and Asusena Rios within the City

of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 30).

This item was approved as RES-111-11 on the Consent Agenda.

- 7V.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 0.242 acres for the public purpose of acquiring Right-of-Way for construction, maintenance, and operation of a public street, 0.07 acre and 336 sq. ft. of Temporary Construction Easement, and 132 sq. ft. of Permanent Sanitary Sewer Easement owned by Jesse Ray Hooks and Carol Hooks within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 48).

This item was approved as RES-112-11 on the Consent Agenda.

- 7W.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 0.244 acres for the public purpose of acquiring Right-of-Way for construction, maintenance, and operation of a public street, 0.17 acres of Temporary Construction Easement, and 236 sq. ft. of Permanent Drainage Easement owned by Jess Hooks, Jr. and Betty Ruth Hooks within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 49).

This item was approved as RES-113-11 on the Consent Agenda.

- 7X.** Consider action to approve a resolution to determine the necessity to acquire a 655 sq. ft. of land for the public purpose of acquiring Right-of-Way for construction, maintenance, and operation of a public street, 183 sq. ft. of Temporary Construction Easement and 317 sq. ft. of Permanent Drainage Easement owned by Betty Ruth Hooks within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 50).

This item was approved as RES-114-11 on the Consent Agenda.

- 7Y.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 0.350 acres for the public purpose of acquiring Right-of-Way (ROW) for construction, maintenance, and operation of a public street, Temporary Construction Easement (TCE) of 0.38 acres, Permanent Sanitary Sewer Easement of 139 sq. ft., Permanent Drainage Easement (PDE) A of 256 sq. ft., and PDE B of 256 sq. ft. owned by Mike Anthony Ellena and Gayle Ann Ellena within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 51 & 52).

This item was approved as RES-115-11 on the Consent Agenda.

- 7Z.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 0.300 acres for the public purpose of acquiring Right-of-Way for construction, maintenance, and operation of a public street, 0.27 acres of Temporary Construction Easement, and 222 sq. ft. of Permanent Drainage Easement owned by McEntee Family Limited Partnership within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 53).

This item was approved as RES-116-11 on the Consent Agenda.

- 7AA.** Consider action to approve a resolution to determine the necessity to acquire a tract of land of approximately 3.41 acres for the public purpose of acquiring Right-of-Way for construction, maintenance, and operation of a public street, 1.12 acres of Temporary Construction Easement, 354 sq. ft. of Permanent Sanitary Sewer Easement, 139 sq. ft. of Permanent Drainage Easement A, and 1,825 sq. ft. of Permanent Drainage Easement B owned by McEntee Family Limited Partnership within the City of Rowlett for the Merritt Road Interconnector project and authorizing the City Attorney to file proceedings in eminent domain to acquire said property (Parcel 55).

This item was approved as RES-117-11 on the Consent Agenda.

Passed The Consent Agenda (see item 7M)

A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Kilgore, including all the preceding items 7N through 7AA marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Ayes: 7 - Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Conduct a public hearing (1st) on the ad valorem tax rate for Fiscal Year 2011-2012.

Mayor Gottel read the item into the record.

Staff made a brief presentation stating the tax rate has not increased for seven years and taxpayers are paying less because of the drop in taxable property value. The City of Rowlett's

tax rate is not the highest tax rate in the Metroplex but currently is about the 7th highest and is being watched to see where the ranking will be after other cities adopt their tax rates.

The public hearing opened and closed at 8:29 p.m. with no one speaking.

8B. Conduct a public hearing (1st) on the proposed budget for Fiscal Year 2011-2012.

Mayor Gottel read the item into the record.

Staff made a brief presentation stating the budget was presented by the City Manager on August 2, 2011. A budget work session was held on August 11, 2011 for Council to ask questions and review the budget. This is the first of two budget public hearings, the next is to be held on September 6, 2011 and on September 20, 2011 citizens can make comments before the budget for Fiscal Year 2011-2012 is adopted.

The public hearing opened and closed at 8:34 p.m. with no one speaking.

8C. Consider action to adopt an ordinance to authorize the issuance of City of Rowlett, Texas, General Obligation Refunding Bonds; establishing procedures for the sale and delivery of the bonds; providing for the security and payment of said bonds; providing an effective date; and enacting other provisions relating to the subject.

Mayor Gottel read the item into the record.

Staff introduced Boyd London of First Southwest. He presented a PowerPoint presentation explaining how a Parameter Sale is authorized and defined. The pricing officers are Brian Funderburk, Assistant City Manager/CFO and Ann Honza, Director of Finance.

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Pankratz, to approve the item as read. This item was adopted as ORD-019-11. The motion carried by the following vote:

Ayes: 7 - Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

8D. Conduct a public hearing and consider action to adopt an ordinance to make text amendments to the following sections of the Rowlett Code of Ordinances: Section 10 Article XI (Temporary uses of Real Property, Buildings and Structures), Section 10 Article IV (Concrete or Asphalt Batching Plants), Section 52 (Special Events), Section 77-303 (Accessory Uses and Structures), Section 77-304 (Temporary Uses and Structures), and Section 77-810 (Temporary Use Permits).

Mayor Gottel read the item into the record.

Staff made a PowerPoint presentation to explain the changes that are being proposed to be made to the Code of Ordinances to better explain and clarify several sections in the Code. Temporary car washes were discussed and the new proposed application form was displayed.

The public hearing opened and closed at 8:52 p.m. with no one speaking.

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Davis, to approve the item as read. This item was adopted as ORD-020-11. The motion carried by the following vote:

Ayes: 7 - Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

No action followed the Executive Session item.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 8:53 p.m.



Todd W. Gottel, Mayor



Susie Quinn, City Secretary

Date Approved: September 6, 2011